

Timeline: Police controversies continue

While there have been plenty of positive accomplishments, including the creation of the police athletic league and recent accreditation, the Duxbury Police Department has faced more than its share of controversy over the past ten years:

- **May 1999:** Mark DeLuca chosen over a Milton lieutenant for Duxbury police chief. Acting Chief Donald Sjostedt, who had previously been involved in litigation against the town, is bypassed for job.
- **December 1999:** Chief DeLuca forced to surrender fire-arm when judge issues temporary restraining order against him on behalf of then wife Lynne DeLuca. The restraining order was voluntarily dropped the following week.
- **January 2000:** DA investigates theft of \$3,086 from police station evidence locker. The money was discovered missing in November 1999, reported to selectmen in December 1999, but withheld from the public until an anonymous tip was received in January 2000. Case was never solved.
- **February 2000:** Auditor uncovers \$30,000 deficit balance in police detail fund and cites poor money handling procedures. The audit also finds fault in the fire and school departments.
- **April 2002:** Police Prosecutor Robert Fontaine faces criminal charges following hit and run accident. Fontaine was described by a police lieutenant as "staggering very badly" following Jan. 27 accident. In his own report, Fontaine said he left the scene of accident before police arrived because he "had the runs." Police waited four days to issue citation, which was initially described as a "fender bender."
- **June 2002:** Animal Control Officer Haley-Dee Parlin resigned, citing personal problems. She was facing a disciplinary hearing regarding complaints about poor job performance and failure to respond to calls.
- **July 2002:** Selectmen announce agreement with Fontaine for him to resign and be paid lump sum of \$19,477 representing five month's worth of salary.
- **August 2002:** A female Duxbury special police officer is arrested for assault and battery in a domestic dispute.
- **June 2003:** Officer Scott Myers fired after a private investigator hired by the town took video of him working at a local pizzeria while on injured leave. Following a disciplinary hearing at Town Hall, Myers' attorney, Doug Louison, and Chief DeLuca are involved in heated argument, described as "an almost physical confrontation."
- **June 2003:** Officer Dale Parks agrees to ten-day suspension after falsely claiming he was on duty with Air National Guard. Parks previously served a five-day suspension in 2001 for unauthorized sick time.
- **July 2003:** Police officer Cully Rossi suspended for six months retroactively without pay for failing to report for duty. Chief DeLuca had recommended he be fired. Cully's doctor said he suffered from hypertension and "emotional injuries sustained at work." Cully claimed that personality conflict with a police lieutenant was partly the cause of his stress.
- **December 2004:** Former Officer Myers applies for reinstatement to Civil Service Commission. His appeal is later denied after several legal hearings.
- **March 2005:** In a statement in response to a Massachusetts Commission Against Discrimination court filing made public March 15, Police Chief DeLuca reveals there have been 26 individual disciplinary cases since 1999 involving 11 different Duxbury police officers. They include a sergeant who retired following accusation of being "drunk on duty," an officer who was suspended three days regarding "missing money," and numerous letters of reprimand for "abuse of sick time," "sleeping on duty" and "disobeying direct orders."
- **May 2005:** Officer Rossi is fired by Town Manager Rocco Longo following another disciplinary hearing in May. Rossi did not show up for work as ordered by Chief DeLuca and was found to be working at another job. Rossi maintained he could not return to duty for health reasons.
- **June 2005:** Police Officer Diane Garofalo decides not to return to duty after a one-year leave of absence during which time she filed a sexual harassment suit with the Mass. Commission Against Discrimination. Among her allegations were that pornography was on work computers and that Chief DeLuca dressed inappropriately around her. Former Chief Enrico Cappucci was hired by the town to conduct an investigation and determined that Garofalo's claims were unsubstantiated.
- **2005:** Officer Dale Parks files suit with Mass. Commission Against Discrimination alleging racial bias. He cites disparate treatment with white officers and racial slurs. The MCAD dismissed the suit for lack of evidence. Chief DeLuca accused Parks of exploiting MCAD to save his job and avoid punishment.

• **July 2005:** Application for criminal charge filed by Haverhill police in Haverhill District Court against Chief DeLuca following altercation at an amateur boxing event. The case was resolved when a hearing on the charge was cancelled before it took place.

• **December, 2006:** Police Officer Thomas Brown's Civil Service complaint claiming he was unfairly passed over for a promotion to sergeant is rejected.

• **August 2007:** Officer Parks fired for writing bad checks in dispute with local auto dealer. His lengthy disciplinary history cited includes numerous bad checks, failing to appear in court and false work claims.

• **October 2007:** Police officer Sean Moran is held without bail on assault and malicious destruction charges. A Quincy judge said Moran represented a danger to his girlfriend.

• **October 2008:** Boxing league run by Chief Mark DeLuca is sued by Quincy landlord for \$17,000 in back rent.

• **May 2008:** Officer Sean Moran fired by the town. State Supreme Court later ruled that Moran can face assault with intent to murder charges in conjunction with alleged incident.

• **November 2008:** A new association of management employees led by Chief DeLuca file paperwork to join the Service Employees International Union (SEIU). In a letter to the public, association accuses the town of "stalling, control practices and legal maneuvering." It is later ruled that DeLuca, as chief, is ineligible to be part of the union.

• **January 2009:** Chief DeLuca defends a letter of support he wrote on behalf of Pembroke man who was charged with possession with intent to sell 200 pounds of marijuana and later sentenced to five years in prison. DeLuca said the letter was merely to inform the court of the man's work with children at a private gym and was not an attempt to defend his actions.

• **June 9, 2009:** Chief DeLuca notified by letter that his contract will not be renewed. "After consideration of current management practices, I have decided to take a new approach in managing the police department," Town Manager Richard MacDonald wrote.

• **July 20, 2009:** Selectmen vote 2-1 to overturn the decision by Town Manager not to renew the contract of chief when it expires in November. Vote later determined by Town Counsel Robert Troy to be legally invalid.

• **March 26, 2009:** In a letter signed by Lt. Sue James, Lt. Lewis Chubb and Lt. Roger Banfill, the Duxbury Police Commanders Association announced a vote of "no confidence" in Town Manager Richard MacDonald and criticized him for disparate treatment of town employees, failure to negotiate in good faith with the union and lack of support for the chief. "The Police Department is running smoothly under Chief DeLuca's leadership," they wrote.

• **March 30, 2009:** Dispatchers Union sends letter to Selectmen announcing their vote of "no confidence" in Town Manager, citing inadequate raises, selective discipline and a "lack of respect" for employees, specifically his absence from the wake of special police officer Mel Dwyer, who was struck and killed during a police detail in Marshfield.

• **September 28, 2009:** Supporters of Chief DeLuca fill the selectmen's meeting room to present a petition and call on board members to overrule the town manager's decision or remove him from his position. During the meeting the spouse of a former police officer confronted the chief with documents he claimed were proof of changed reports and said his license plate number was written down when he refused to sign the petition at the town transfer station.

• **October 5, 2009:** Selectmen reach tentative severance deal with Chief DeLuca for a reported \$240,000, however the final agreement was never signed and two weeks later Selectmen rescind the deal.

• **October 6, 2009:** Lt. Sue James, 57, files suit with Mass. Commission Against Discrimination alleging gender and age discrimination the same day Lt. Lewis Chubb, 41, is named interim police chief. James claims as the senior officer she should have been named acting chief.

• **October 19, 2009:** During meeting, Selectman reveals that among the allegations against police chief are abuse of overtime. Town officials refuse records request to disclose specifics of allegations.

• **October 23, 2009:** In a statement from the Board of Selectmen announcing the rescission of the severance agreement, it is revealed that former Chief DeLuca has been placed on paid administrative leave and ordered to "refrain from acting in any capacity relating to the Duxbury Police Department."

Police Dept.

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